

REMARKS

Reconsideration of the application is requested.

Claims 12-28 and 30 remain in the application. Claims 12-28 and 30 are subject to examination.

Under the heading "Claim Rejections – 35 USC § 102" on page 3 of the above-identified Office Action, claims 12-22, 25-28 and 30 have been rejected as being fully anticipated by U.S. Patent No. 6,034,995 to Eisele et al. under 35 U.S.C. § 102. Applicant respectfully traverses.

Claim 12 includes a step of carrying out a check for a line fault by a bus subscriber only when the bus subscriber is in the dominant state. Eisele et al. do not teach such a step. The Examiner has alleged that column 8, lines 39-53 of Eisele et al. teach such a step however, the Examiner's allegation is incorrect.

First, applicant points out that there is a significant difference between a bus subscriber being in the dominant state and the bus being in the dominant state. A bus subscriber that is in the dominant state is a subscriber that in normal operation mode puts the bus into its dominant state. Column 8, lines 39-53 of Eisele et al. teach that the bus is in a dominant state, whereas claim 12 specifies that the bus subscriber is in the dominant state.

Second, applicant points out that there is absolutely no teaching at column 8, lines 39-53 of Eisele et al. or at any other portion of Eisele et al. relating to checking for a line fault by a bus subscriber only when the bus subscriber is in the dominant state.

Further, column 8, lines 39-53 of Eisele et al. teaches that one of the two lines of the bus may be in a dominant state due to a fault. Since the dominant state of the bus results from a fault, there is no need for one bus subscriber to be in a dominant state.

The invention as defined by claim 12 is not anticipated by Eisele et al.

Claim 18 defines a bus system including at least one fault identification device configured to carry out a check for a line fault only when the one of said bus subscribers is in the dominant state. Claim 30 defines a bus system including at least one fault identification device carrying out a check for a line fault only when the at least one of said bus subscribers is in the dominant state.

As pointed out above with regard to claim 12, Eisele et al. do not teach checking for a line fault only when the one of the bus subscribers is in the dominant state. The invention as defined by claims 18 and 20 is not anticipated by Eisele et al.

Under the heading "Claim Rejections – 35 USC § 103" on page 14 of the above-identified Office Action, claim 23 has been rejected as being obvious over U.S. Patent No. 6,034,995 to Eisele et al. in view of U.S. Patent No. 4,516,248 to Barclay et al. under 35 U.S.C. § 103. Applicant respectfully traverses.

Even if there were a suggestion to combine the teachings in Eisele et al. and Barclay et al., the invention as defined by claim 23 could not have been suggested for the reasons given above with regard to claim 18 and the teaching in Eisele et al.

Under the heading "Claim Rejections – 35 USC § 103" on page 15 of the above-identified Office Action, claim 24 has been rejected as being obvious over U.S. Patent No. 6,034,995 to Eisele et al. in view of U.S. Patent No. 6,535,028 to Baker under 35 U.S.C. § 103. Applicant respectfully traverses.

Even if there were a suggestion to combine the teachings in Eisele et al. and Baker, the invention as defined by claim 24 could not have been suggested for the reasons given above with regard to claim 18 and the teaching in Eisele et al.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 12, 18, or 30. Claims 12, 18, and 30 are, therefore, believed to be patentable over

the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 12 or claim 18.

In view of the foregoing, reconsideration and allowance of claims 12-28 and 30 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

Petition for extension is herewith made. The extension fee for response within a period of two months pursuant to Section 1.136(a) in the amount of \$490.00 in accordance with Section 1.17 is enclosed herewith.

Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Sterner LLP, No. 12-1099.

Respectfully submitted,

/Mark P. Weichselbaum/
Mark P. Weichselbaum
(Reg. No. 43,248)

MPW:cgm

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Lerner Greenberg Sterner LLP
P.O. Box 2480
Hollywood, Florida 33022-2480
Tel.: (954) 925-1100
Fax: (954) 925-1101